

John Boehner  
Chairman  
8th District, Ohio

*House Meets at 9:00 a.m. for Morning Hour  
and 10:00 a.m. for Legislative Business*

*Anticipated Floor Action:*

- H.R. 4037—Electronic Access of Material Safety Data Sheets**  
**S. 414—Ocean Shipping Reform Act**  
**H.R. 4057—Airport Improvement Program Reauthorization Act**  
**H.R. 1151—Credit Union Membership Access Act (Considering Senate Amendments)**  
**H.Con.Res. 213—Expressing the Sense of Congress Regarding European Union Import Policies**  
**H.R. 4342—Miscellaneous Trade Technical Corrections Act**  
**H.R. 3790—Library of Congress Bicentennial Commemorative Coin Act**  
**H.R. 3696—Designating the James F. Battin Federal Courthouse**  
**S. 1800—Designating the Joseph P. Kinneary U.S. Courthouse**  
**H.R. 4276—FY 1999 Commerce, State, Justice, and the Judiciary Appropriations Act**  
**H.R. 2183—Bipartisan Campaign Integrity Act (Continue Consideration)**



## **Bills Considered Under Suspension of the Rules**

**Floor Situation:** The House will consider the following nine bills under suspension of the rules as its first order of business today. Each is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

**H.R. 4037—Electronic Access of Material Safety Data Sheets** requires the Occupational Safety & Health Administration (OSHA) to clarify that employees may access material safety data sheets (MSDSs) by electronic means, and put “emergency overview” information on the front of MSDSs. In addition, the bill (1) allows suppliers of MSDSs to either attach the required product label to the front of the sheets or attach a separate sheet of paper with the same information; (2) gives chemical companies 18 months to add new emergency overview text to new MSDSs and 36 months for

existing MSDSs; (3) requires the Labor Secretary to report to the House Education & Workforce Committee and the Senate Labor & Human Resources Committee on necessary changes to the bill resulting from the development of an international standard format for hazard communication; and (4) requires the Labor Secretary to study the usefulness of MSDSs from the standpoint of whether the hazard warnings are understandable to most industrial workers, and to circulate the report to chemical companies and other suppliers of MSDSs. The bill was introduced by Ms. Granger on June 11, 1998 and was reported by the Education & Workforce Committee by voice vote on July, 29, 1998.

**S. 414—Ocean Shipping Reform Act** deregulates the ocean shipping industry to encourage competition in international shipping. The measure eliminates tariff filing, creates a mandatory right of action on service contracts, permits individual negotiation of service contracts, and authorizes \$15 million for the federal maritime commission (FMC) for FY 1998. In addition, a substitute amendment offered on the floor will eliminate a provision in the Senate bill to extend the eligibility for certain veterans' burial and funeral benefits to cover merchant mariners who served between August 16, 1945, and December 31, 1946. Assuming appropriation of the authorized amounts, CBO estimates that the Federal Maritime Commission will spend \$15 million in FY 1998 to carry out routine duties as well as one-time activities to implement this legislation. CBO also estimates that enactment will increase direct spending by between \$200,000 and \$400,000 annually. Finally, enacting S. 414 will increase federal revenues by approximately \$1 million in FY 1998 and decrease revenues by roughly the same amount in each of the following years. The Senate passed S. 414 by unanimous consent on April 21, 1998.

**H.R. 4057—Airport Improvement Program Reauthorization Act** reauthorizes funding for programs at the Federal Aviation Administration (FAA) for FY 1999 and makes a number of changes to the airport improvement program and other federal transportation programs. Specifically, the measure authorizes (1) \$2.3 billion for the airport improvement program; (2) \$7.8 billion for FAA operations, facilities, and equipment; (3) \$6 million annually for the contract tower program; (4) \$250,000 annually for the Centennial Flight Commission; and (5) \$2 million for FY 1999 to hire additional personnel at the Department of Transportation (DOT). H.R. 4057 expands a pilot program that allows an innovative use of airport improvement grant funds. The Joint Committee on Taxation (JCT) expects that this provision will result in an increase in tax-exempt financing and subsequent loss of federal revenue. JCT estimates a revenue loss over the FY 1999-2003 period of \$2 million, with additional losses between \$500,000 and \$1 million annually through FY 2008. Enactment of H.R. 4057 may increase collections of civil penalties, but CBO estimates that any such effects will be negligible. The bill was introduced by Messrs. Shuster and Duncan (TN); the Transportation Committee reported the bill by voice vote on June 25, 1998.

**H.R. 1151—Credit Union Membership Access Act (Considering Senate Amendments)** grandfathers existing multiple common bond groups (i.e., credit unions that have accepted groups with a common bond, in addition to their original membership) and allows such groups to continue accepting members (thereby protecting all current credit union members). It addresses the Supreme Court's February decision *National Credit Union Administration v. First National Bank & Trust Co.*, where the Court ruled in favor of the banking industry and invalidated the National Credit Union Administration's (NCUA) policy regarding multiple-group fields of membership. The Senate amendment generally incorporates the House-passed provisions, especially as they relate to the common bond issue. Specifically, the four major differences between the House and Senate versions are outlined below:

- \* The Senate bill does not impose community reinvestment requirements on state and federally chartered credit unions. The House version does.
- \* The House bill called for a one-year freeze on regulations promulgated by the National Credit Union Administration (NCUA) that govern member business loans and required by a NCUA report to Congress within one year. The Senate version, in contrast, limits the total amount of aggregate business loans (all members) to approximately 12 percent of a credit union assets. It also codifies the current NCUA definition of “member business loan,” including the provision exempting loans under \$50,000 from the definition. The limitations in the Senate bill allow such loans to comprise up to about 12 percent of assets, so the Senate provisions affect very few credit unions.
- \* The Senate bill expands the prompt corrective action (PCA) provisions contained in the House bill, which generally call for the NCUA to issue regulations comparable to those imposed on banks and thrifts under the Federal Deposit Insurance Act. The Senate version, however, is much more detailed on what the PCA regulations should contain.
- \* The House bill required the NCUA to conduct a detailed review of all regulations affecting credit union conversions to any other type of institution. Additionally, the House bill prohibited conversion to any type of insured depository institution, unless the NCUA certified that no individuals who are or were, within the past five years, associated with a credit union will receive economic benefit from a conversion.

Under the Senate bill, an insured credit union may convert to a mutual savings bank or savings association after approval by a majority of the members who vote on the proposal at a meeting for that purpose or by written ballot. The Senate bill does not establish a quorum requirement for a vote to be effective. Notice of the proposal to convert must be sent to each member 90, 60, and 30 days before the vote. The NCUA will administer the vote, which will be verified by the regulatory agency that will have jurisdiction following the conversion. Another round of voting must occur if either agency disapproves of the voting method. Upon completion of the conversion, the Federal Credit Union Act (FCUA) no longer applies to the converted institution.

The Senate bill also limits the compensation that a “director or senior management official” of an insured credit union may receive to “director fees” and other compensation received “in the ordinary course of business” in connection with a conversion of a credit union to a mutual savings bank or mutual savings association. Within six months of enactment, the NCUA must, additionally, adopt conversion rules that are consistent with those of other regulators, such as the OTS and OCC. The House bill covered a credit union conversion into any “insured depository institution” or conversion of an insured depository institution which resulted from conversion of a credit union into such depository institution.

CBO estimates that enactment of H.R. 1151 will increase net assessments paid to the National Credit Union Share Insurance Fund (NCUSIF) by \$510 million over the 1999-2003 period, thereby reducing

net federal outlays by that amount. The Joint Committee on Taxation (JCT) estimates that enactment H.R. 1151 will lead to a shift of deposits from financial institutions that pay federal income taxes to credit unions, which are not subject to federal income tax, resulting in revenue losses to the federal government totaling \$143 million through 2003. The bill affects both revenues and direct spending, so pay-as-you-go procedures apply. The bill was introduced by Mr. LaTourette *et al.*, and the House passed H.R. 1151 on April 1, 1998, by a vote of 411-8, the Senate passed the measure by a vote of 92-6 on July 28, 1998.

**H.Con.Res. 213—Expressing the Sense of Congress Regarding European Union Import Policies** expresses the sense of Congress that (1) the European Union (EU) has unfairly restricted U.S. agricultural products from being imported by its member countries, (2) the restrictions are causing tremendous problems for U.S. agriculture exporters; (3) eliminating the restrictions should be a top priority of any current or future trade negotiation with countries in that region of the world; (4) the president should develop a trade agenda which actively addresses agricultural trade barriers in multilateral and bilateral trade negotiations; (5) in those negotiations, the U.S. should obtain competitive opportunities for domestic exports and agricultural commodities in foreign markets which are “substantially equivalent” to the competitive opportunities given to foreign exports in U.S. markets; (6) the U.S. Trade Representative should not engage in any negotiations with the EU if she determines that such negotiations will undermine the ability of the U.S. to achieve a successful result in the World Trade Organization on agriculture, which will begin in December, 1999; and (7) the president should consult with Congress in a timely manner concerning trade negotiations in agriculture. H.Con.Res. 213 was introduced by Mr. Ewing and was reported by the Ways & Means Committee by voice vote on July 29, 1998.

**H.R. 4342—Miscellaneous Trade and Technical Corrections Act** amends current law regarding miscellaneous customs law provisions, making technical corrections to those laws and temporarily suspending duties imposed for certain imports. The majority of products affected by the duty suspension include chemicals, most specifically chemicals used to develop AIDS and cancer drugs. The bill also allows duty-free entry of equipment for participants in the 1999 Special Olympics, Women’s World Cup, and 2002 Winter Olympics. This change brings U.S. laws into conformity with an international agreement on the duty-free importation of large scientific instruments. H.R. 4342 was introduced by Mr. Crane and Mr. Matsui and was reported by the Ways & Means Committee by voice vote on July 29, 1998.

**H.R. 3790—Library of Congress Bicentennial Commemorative Coin Act** requires the Secretary of the Treasury to mint and issue several commemorative coins to celebrate the Library of Congress’ bicentennial. Specifically, the bill calls for the secretary to issue (1) 100,000 gold coins at \$5 face value and (2) 500,000 silver coins at \$1 face value. The secretary may mint 200,000 bimetallic coins of gold and platinum (at \$10 face value) instead of the gold coins if he chooses. The design of the coins will be selected by the secretary after consulting with the Library of Congress and the Commission on Fine Arts, and will be reviewed by the Citizens Commemorative Coin Advisory Committee. The coins will be issued between January 1-December 31, 2000, and will be sold at face value plus a surcharge, which will be paid to the Library of Congress Trust Fund Board to support bicentennial programs, educational outreach, and other activities. The bill was introduced by Mr. Thomas.

**H.R. 3696** names the U.S. courthouse at 316 N. 26<sup>th</sup> Street in Billings, Montana, after James F. Battin. Mr. Battin served as both a member of Congress and a federal judge. His tenure in the

House of Representatives lasted for 10 years, from the 87th through the 91st Congresses. President Nixon appointed him to the federal bench in 1969, and he served as Chief Judge from 1978 to 1990, when he moved to senior status. During his tenure on the bench, he served the District of Montana as well as districts in Washington, Oregon, California, Arizona, Hawaii, and Georgia. In the House he served on the Judiciary, Foreign Affairs, and Ways & Means Committees. The bill was introduced by Mr. Hill and was reported by the Transportation & Infrastructure Committee by voice vote.

**S. 1800** names the U.S. courthouse at 85 Marconi Boulevard in Columbus, Ohio, after Joseph P. Kinneary. Judge Kinneary has served on the federal bench for over 30 years. He began his service to the United States in 1942, when he fought in World War II in the Army. He continued his service in the Army until 1946. In 1961 President Kennedy appointed Judge Kinneary to the federal bench for the Southern District of Ohio, where he continues to serve today at the age of 92. Judge Kinneary has also served as Assistant Attorney General and First Assistant Attorney General for the state of Ohio. The bill was introduced by Senator Glenn and was reported by the Transportation & Infrastructure Committee by voice vote.

**Additional Information:** See *Legislative Digest*, Vol. XXVII, #21, July 31, 1998.



## **H.R. 4276—FY 1999 Commerce, Justice, State, and the Judiciary Appropriations Act**

**Floor Situation:** The House will continue consideration of H.R. 4276 after it completes consideration of the scheduled suspensions. Yesterday, the House completed general debate and began considering amendments under an open rule. The rule waives all points of order against consideration of the bill, as well as House rules which prohibit unauthorized appropriations, legislative provisions in an appropriations bill, and reappropriations. It makes in order three specific amendments—by Mr. Mollohan, Mr. Callahan, and Mr. Hefley—and waives points of order against them. The rule accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, provided that it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

**Summary:** H.R. 4276 appropriates \$28 billion for the departments of Commerce, Justice, and State, the federal judiciary, and 18 related agencies, \$1.4 billion more than last year and \$1 billion less than President Clinton requested. Together with \$5.5 billion from the Violent Crime Reduction Trust Fund plus mandatory programs, the bill provides a total of \$33.5 billion in new budget authority. The bill focuses on enhancing numerous crime enforcement and reduction initiatives, including (1) \$523 million to restore the local law enforcement block grant, which the president's proposal terminated; (2) \$533 million for juvenile crime and prevention programs; (3) state and local law enforcement assistance from programs such as the president's COPS on the Beat initiative which receives \$1.4 billion; (4) Violence Against Women Act programs; (5) counterterrorism activities and protections against biological and chemical weapons; and (6) enhanced border patrol (including funding for 1,000 additional border patrol agents), criminal alien assistance funding.

H.R. 4276 funds Commerce Department programs including the decennial census preparation (\$956 million), National Weather Service and related programs (\$1.1 billion) included in the National Oceanic and Atmospheric Administration (\$2 billion). The bill also eliminates funding for several agencies and commissions that have expired, such as the Commission on Immigration Reform and the Gambling Impact Study Commission. In a similar vein, H.R. 4276 reduces funding for the Legal Services Corporation (LSC) to \$141 million and maintains restrictions on LSC-funded agencies from taking certain cases as outlined in the FY 1998 measure. H.R. 4276 appropriates \$5.5 billion for the State Department and related agencies, \$323 million more than in FY 1998. However, if funding for UN arrearages is counted, the bill provides only \$151 million less than FY 1998. CBO does not complete cost estimates for appropriations bills which have not been enacted. However, the committee estimates that enactment of H.R. 4276 will result in net outlays of \$22.3 billion in FY 1999, \$6.3 billion in FY 2000, \$3.2 billion in FY 2001, \$1.3 billion in FY 2002, and \$144 million in FY 2003 and beyond. H.R. 4276 was submitted by Mr. Rogers on July 20, and was reported by the Appropriations Committee by voice vote on July 15, 1998.

**Views:** The Republican Leadership supports passage of H.R. 4276. The Clinton Administration opposes the bill, and the president has threatened a veto of the bill in its current form. Specifically, the president has expressed his opposition to the bill's provisions restricting funding for the 2000 census and the Legal Services Corporation. Additionally, administration supporters oppose efforts to alter or block implementation of the president's executive order pertaining to expansion of persons specially protected under federal affirmative action law.

**Amendments:** Yesterday, the House completed debate, but has not yet voted on, the following amendment:

- \* an amendment by **Messrs. Mollohan, Fox, and Ramstad** to increase funding for the Legal Services Corporation by \$109 million, for a total appropriation of \$250 million. The authors contend that LSC programs are important to ensure access to justice for low-income Americans. The bill currently provides \$141 million in funding, which the supporters claim is not enough for LSC to provide its services to an underserved portion of the population. Although ostensibly created to provide legal services to the nation's poor, this government-sponsored corporation has long been a focus of controversy due to its high-profile role in using litigation to champion liberal political causes such as welfare rights and prison overcrowding. Last year's CJSJ funding bill provided funding of \$283 million and imposed restrictions on what kinds of cases LSC grantees could pursue. H.R. 4276 funds the agency's budget at \$141 million for this year, a 50 percent reduction from FY 1998. LSC proponents claim that conservatives are trying to stifle opposition by denying meaningful legal action to those most harmed by their policies—the poor. Supporters of LSC limitations, on the other hand, assert that it is ridiculous for the federal government to pay advocacy lawyers to challenge, warp, and even overturn its own policies. The LSC, they argue, should refocus its efforts on providing the kind of legal help that poor people really need in their day-to-day lives. *Staff Contacts: Sally Gaines (Mollohan), x5-4172; Brian Tynan (Fox), x5-6111; Karin Hope (Ramstad), x5-2871*

At press time, the *Legislative Digest* was aware of the following other amendments to H.R. 4276:

**Mr. Barr** may offer an amendment (#38) to prohibit the use of funds provided by the bill to carry out the president's Executive Order 13083 pertaining to federalism. **Staff Contact: Jonathan Blyth, x5-2931**

**Mr. Barr** may offer an amendment (#39) to prohibit the use of funds provided by the bill to carry out the president's Executive Order 13087 which expands the list of "protected classes" of persons protected by affirmative action to include "sexual orientation." **Staff Contact: Jonathan Blyth, x5-2931**

**Mr. Bartlett** may offer either one or two amendments (#1 or #3) to strike a total of \$475 million in funding to pay dues arrearages to the United Nations. The author contends that, according to a 1996 GAO report, U.S. costs paid toward U.N.-led peacekeeping operations in Haiti, the former Yugoslavia, Rwanda, and Somalia exceeded \$6 billion from 1992-1995. Only a portion of that amount has been credited toward dues payments on behalf of the U.S., leaving enough funds to pay for any dues arrearages without providing additional appropriations. While the GAO report does not contend that the UN owes money to the U.S., amendment supporters assert that the UN should consider a final disposition of the unobligated money already paid by the U.S.—over \$4 billion. Opponents, however, contend that the amendment undermines the agreement reached between Congress and the president to pay the U.S. debt while affecting much needed reforms at the UN, including reductions in U.S. contributions to the UN regular and peacekeeping budgets. Additionally, they argue that the peacekeeping activities in question were not U.N.-led, and the UN does not reimburse countries for peacekeeping that the countries may decide to do on their own. Countries that are members of the UN customarily engage in non-U.N. operations while expecting no reimbursement for their efforts in return. **Staff Contact: Randy Stephens, x5-2721**

**Mr. Blagojevich** may offer an amendment (#41) to increase funding for COPS violent crime reduction programs by \$5 million, providing a total of \$175 million. **Contact: x5-4061**

**Mr. Callahan** may offer an amendment (#28) to reduce funding for the National Marine Fisheries Services to \$319 million, a reduction of \$20 million. The bill currently provides \$339 million. **Staff Contact: Nancy Tippins, x5-44931**

**Mr. Callahan** may offer an amendment (#36) to reduce to \$1.44 billion funding for the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Services, a reduction of \$29 million. The bill currently provides \$1.47 million. **Staff Contact: Nancy Tippins, x5-44931**

**Mr. Collins** may offer an amendment (#40) to decrease funding for the office of the U.S. Trade Representative by \$6 million, providing a total of \$18 million. **Staff Contact: Bo Bryant, x5-5901**

**Mr. Ensign** may offer an amendment (#42) to transfer \$3 million from the U.S. Attorney's office to DOJ's Drug Courts program. **Staff Contact: Brooke Allmon, x5-5965**

**Mr. Farr** may offer an amendment (#43) to increase funding for the National Ocean Service by \$1.9 million, providing almost \$246 million. **Contact: x5-5861**

**Messrs. Fox, Saxton, Snowbarger, Brady, Weller, and Pappas** may offer an amendment (#2) the to prohibit funds in the bill from being made available to the Palestinian Broadcasting Corporation (PBC). The PBC is currently promoting an agenda that is pro-Palestinian Authority while employing anti-American rhetoric, which amendment supporters argue will hinder the U.S.-sponsored peace process underway between Israelis and Palestinians. *Staff Contact: Kristen McSwain (Fox), x5-6111*

**Mr. Gilchrest** may offer an amendment (#24) to strike language in the bill extending fishery oversight jurisdiction for the states of Alabama, Louisiana, and Mississippi. The bill currently extends jurisdiction the states have over fishery resources extending from the states' shores into the Gulf of Mexico from three to nine miles. *Staff Contact: Erika Feller, x5-5311*

**Mr. Hefley** may offer an amendment, debatable for 20 minutes, to prohibit federal funding to administer, implement, and enforce two Executive Orders: EO 13083, which was signed by the president on May 14, 1998, and EO 13087, which was signed by President Clinton on May 28, 1998. Executive Order 13083 revokes an order signed by President Reagan, #12612, which outlined several requirements ensuring that federal government regulations and actions did not infringe on a state's laws or its residents. Executive Order 13087 expands a 1969 executive order signed by President Nixon (Executive Order 11478) which requires all federal agencies to institute affirmative action programs and enforce equal employment policies. Nixon's order extended affirmative action protection against discriminatory acts based on race, color, religion, gender, national origin, disability, and age. Clinton's order expands the definition by allowing sexual "orientation" to qualify for the same protections.

Supporters of the Hefley amendment contend that provisions of the president's executive order are vague and unenforceable, primarily because they fail to specifically define the term "sexual orientation." Therefore, they argue that it is conceivable that crimes such as pedophilia or ambiguous distinctions such as bisexuality may fall within the protection offered by the Clinton order. Further, by establishing institutional quotas for homosexuals, the Clinton Administration violates its own "don't ask, don't tell" policy regarding neutrality toward persons who practice alternative sexual lifestyles. Thus, in certain areas of government operations (such as the Defense Department) where members of specific minority classes are often specifically recruited to fill positions and advanced career tracks, the agency must be specifically aware of a person's sexual "orientation" in order to conduct recruitment and promotional outreach on their behalf. Meanwhile, opponents of the amendment assert that supporters are attempting to allow bigotry and bias against persons with alternative sexual preferences to remain unchecked by the force of federal law. Clinton's executive order, they claim, is merely a non-discrimination measure meant to supplement protections which already exist in federal law beginning with the Nixon order, but specifically include provisions ensuring that every American is judged fairly in the workplace—without a threat of discrimination or preferential treatment.

**Mr. Hutchinson** may offer an amendment (#11) to strike language in the bill which (1) requires certain federal and state attorneys to comply with the ethics laws of the various states in which they are pursuing aspects of a case and (2) establishes a Misconduct Review Board comprised of private citizens to review complaints against these attorneys. The sponsor argues that the provision, which has not been subject to any hearings, will have the unintended effect of hampering, and possibly compromising, criminal prosecutions of drug dealers, money launderers and terrorists. *Staff Contact: Stacey Shrader, x5-4301*

**Ms. Jackson-Lee** may offer an amendment (#12) to increase by \$2.2 million funding for the DOJ Community Relations Service, providing a total of \$8.9 million. The funding will be offset by a corresponding decrease in funding from state criminal alien assistance programs. Additionally, the amendment decreases by \$2.2 million funding for state and local law enforcement assistance grants dedicated to violent crime reduction programs. *Staff Contact: Leon Buck, x5-3816*

**Ms. Jackson-Lee** may offer an amendment (#29) to prohibit sales, gifts, or other transfers of a handgun unless it is secured by a locking device which would prevent the gun from being discharged while the lock is activated. The amendment excepts transfers of firearms to federal and state authorities, such as law enforcement officials, who confiscate or otherwise secure a handgun from its owner. *Staff Contact: Leon Buck, x5-3816*

**Mr. Kolbe** may offer an amendment (#19) to prohibit funds provided by H.R. 4276 or any other bill from being used to implement, administer, or enforce Executive Order 13083, regarding the roles between states and the federal government under the notion of federalism, which the president signed on May 14, 1998. *Staff Contact: Jason Isaak, x5-2542*

**Mr. Kolbe** may offer an amendment (#20) to prohibit funds provided by *only* H.R. 4276 (see #19 above) from being used to implement, administer, or enforce Executive Order 13083, regarding the roles between states and the federal government under the notion of federalism, which the president signed on May 14, 1998. *Staff Contact: Jason Isaak, x5-2542*

**Messrs. Kucinich, Sanders, DeFazio, and Stearns, and Mrs. Ros-Lehtinen** may offer an amendment (#4 or #13) to prohibit the use of federal funds to support government-initiated legal challenges, or any motions seeking declaratory or injunctive relief, against state, local, or tribal laws thought to be in conflict with an international commercial agreement, such as the North American Free Trade Agreement (NAFTA) and other trade or investment agreements, in which the U.S. may participate. *Staff Contact: Jaron Bourke, x5-5871*

**Mr. McIntosh** may offer an amendment to prohibit funding for the Standing Consultative Committee which would be used to implement the Memorandum of Understanding regarding the 1997 agreement between the U.S., Russia, Kazakhstan, the Ukraine, and Belarus on the Anti-Ballistic Missile Defense Treaty. The sponsor contends that the MOU is a campaign to renew the Anti-Ballistic Missile Defense Treaty without submitting this new treaty to the Senate for ratification. To the contrary, the sponsor asserts that the issue of missile defense, and such an international agreement, deserves full and open debate in the Congress. *Staff Contact: John Steele, x5-3021*

**Mr. Metcalf** may offer an amendment (#30) to strike language enacted in the 1996 Immigration in the National Interest Act (*P.L. 104-208*) which requires all U.S. land borders to have established entry/exit systems to register non-citizens traveling into and out of the U.S. The sponsor intends to assist the northern border of Washington state which, without such an entry/exit system in place, already incurs an approximately three-hour backlog when processing persons entering through the land-border checkpoints. *Staff Contact: Jeff Markey, x5-2605*

**Ms. Millender-McDonald** may offer an amendment (#32) to increase funding for SBA salaries and expenses by \$250,000, providing a total of \$247 million. The additional funds are earmarked for the National Women's Business Council under authority of the 1988 Women's Business

Ownership Act to help provide funding for several data collection projects pertaining to obstacles incurred by women who attempt to start their own businesses. **Staff Contact:** *Liz Powell, x5-7924*

**Ms. Mink** may offer an amendment (#14) to transfer \$2.26 million from the DOJ's Asset Forfeiture Fund to the U.S. Civil Rights Commission, providing a total of \$11 million for the commission, a level equal to the president's request. The sponsor asserts that the commission needs additional funding to implement GAO management improvement recommendations issued in a recent report, as well as monitor increased incidents of "hate crime" against persons of color. **Staff Contact:** *Laura Efurd, x5-4906*

**Mr. Pallone** may offer an amendment (#44) to increase funding for NOAA's operation and maintenance account by \$8 million—providing \$1.48 million, while decreasing funding for NOAA's procurement, acquisition, and construction account by \$15 million. **Contact:** *x5-4671*

**Mr. Royce and Mr. Bass** may offer an amendment (#15) to strike \$180 million from the Commerce Department's Advanced Technology Program (ATP). The sponsors contend that private sector companies are better suited to determine which technologies deserve funding for their development, and that ATP is an inappropriate use of taxpayer funds. **Staff Contact:** *Shawn McBurney (Royce), x5-4111*

**Mr. Sanders** may offer an amendment (#16) to increase funding for salaries and expenses of the Small Business Administration by \$4 million, to \$82.8 million. The funding is transferred from the Security and Exchange Commission's salaries and expenses account, decreasing its funding to \$19 million. **Staff Contact:** *Eric Edwards, x5-4115*

**Mr. Sanders** may offer an amendment (#17) to transfer \$4 million from the Commerce Department's International Trade Administration operations account (leaving \$8.5 million) to the SBA salaries and expenses account, increasing funding for that function to \$82.8 million. **Staff Contact:** *Eric Edwards, x5-4115*

**Mr. Sanders** may offer an amendment (#21 or #26) to (1) increase by million \$4 million the SBA salaries and expenses account, (2) increase by \$4 million the SBA salaries and expenses performance grants account, and (3) decrease by \$4 million funding for salaries and expenses of the SEC. **Staff Contact:** *Eric Edwards, x5-4115*

**Mr. Sanders** may offer an amendment (#22 or #27) to (1) increase by million \$4 million the SBA salaries and expenses account, (2) increase by \$4 million the SBA salaries and expenses performance grants account, and (3) decrease by \$4 million funding for salaries and expenses of the International Trade Administration (ITA). **Staff Contact:** *Eric Edwards, x5-4115*

**Mr. Sanders** may offer an amendment (#37) to transfer \$4 million from the International Organization and Conferences contributions account to SBA salaries and expenses account, thereby providing \$250 million for the SBA. **Staff Contact:** *Eric Edwards, 5-4115*

**Mr. Sanders** may offer an amendment (#45) to transfer funding from the Commerce Department's International Trade Agency (ITA) (\$1 million) and the State Department's Foreign Service Retirement and Disability Fund (\$1 million) to provide an additional \$2 million for SBA's salaries and expenses funding. **Staff Contact:** *Eric Edwards, 5-4115*

**Mr. Scarborough** may offer an amendment (#33) to prohibit the Federal Communications Commission (FCC) from assessing and collecting new fees to fund the “e-rate,” a requirement currently being imposed on telecommunications providers. *Staff Contact: David Stafford, x5-4136*

**Mr. Scott** may offer an amendment to transfer \$105 million from Truth in Sentencing programs to various accounts, including (1) Boys and Girls Clubs of America (\$36.5 million); (2) the court-appointed Special Advocate program (\$13 million); (3) child abuse training programs (\$8 million); (4) residential substance abuse treatment for state prisoners (\$12 million); (5) drug courts (\$35 million); and (6) law enforcement family support programs (\$500,000). *Staff Contact: Bobby Vassar, x5-8351*

**Mr. Schumer** may offer an amendment to direct the U.S. Attorney General to conduct a study of hate groups in federal and state prisons and report the results no later than six months after enactment. The study must focus on how the Attorney General plans to contain the spread of such groups through prison populations. *Contact: 5-6616*

**Mr. Stearns** may offer an amendment (#34) to reduce funding for UN arrearage payments owed by the U.S. by \$109.2 million. The amendment will provide \$365.8 million to the UN, instead of \$475 million. The sponsor cites the UN’s failure to properly reimburse the U.S. for costs associated with various peacekeeping missions as support for the reduction in funding for arrearage payments to the organization. *Staff Contact: Peter Krug, x5-5744*

**Mr. Stearns** may offer an amendment (#35) to prohibit gambling on the Internet except for multi-state lotteries, securities and commodities trading, fantasy or rotisserie sports leagues, or pari-mutuel wagering which is based on an in-state wagering system. A similar amendment was included in the Senate version of the Commerce-Justice-State appropriations measure. *Staff Contact: Peter Krug, x5-5744*

**Mr. Talent** may offer an amendment (#8) to transfer \$7.1 million from the SBA Business Loans administrative expenses account to the Business Loan Program loan funds account. *Staff Contact: Tee Rowe (Small Business Committee), x5-5821*

**Additional Information:** See *Legislative Digest*, Vol. XXVII, #19, July 17, 1998.



## **H.R. 2183—Bipartisan Campaign Integrity Act**

**Floor Situation:** The House is expected to continue consideration of H.R. 2183 after it completes consideration of H.R. 4276. On Wednesday, May 20, the Rules Committee granted a modified open rule that provided two hours of general debate, equally divided between the chairman and ranking minority member of the House Oversight Committee. The rule makes in order 11 substitute amendments and provides an hour of general debate on each substitute. The rule accords priority in recognition to members who have their amendments to the substitutes pre-printed in the *Congressional Record* and prohibits perfecting amendments to the substitutes that include tax or

tariff measures. The “Queen of the Hill” rule states that if more than one substitute amendment is adopted, the one which receives the greatest number of votes will prevail and be reported back to the House. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

**Summary:** H.R. 2183 amends the 1971 Federal Election Campaign Act (FECA) to (1) ban the use of certain “soft money” by national political parties and federal candidates; (2) increase the aggregate annual limit on contributions made by individuals to political parties; and (3) repeal limitations on the amount of coordinated expenditures that may be made by political parties. The bill indexes contribution limits to inflation beginning in 1999 and requires that radio and television communications paid for by third parties be fully disclosed. The measure revises current Federal Election Commission (FEC) filing requirements to mandate monthly reports by principal campaign committees and other political committees and requires electronic filing for certain reports. The bill also eliminates the “best efforts” exception with respect to obtaining information regarding the occupation or the name of employers of certain individual contributors.

Yesterday, the House passed the Shays-Meehan amendment in the nature of a substitute to H.R. 2183 by a vote of 237-186. After passage, several members indicated that they intended to withdraw their substitutes. The remaining four substitutes are listed below.

**Views:** The Republican leadership has not taken a unified position on the measure or any of the substitutes. An official Clinton Administration viewpoint was also unavailable at press time.

**Amendments:** At press time, certain members were attempting to obtain unanimous consent to consider the remaining substitutes in an “up-or-down” fashion, with no amendments allowed.

### — *Farr Substitute* —

The Farr substitute establishes “voluntary” campaign spending limits of \$600,000 and imposes new PAC and individual contribution limits. The substitute provides public benefits to candidates in the form of lower broadcast rates and bulk mail postage rates and eliminates soft money at the federal level. In addition, the substitute requires greater disclosure of independent expenditures such as requiring notification to the FEC and the Secretary of State within 48 hours of independent expenditures each time they total \$2,500 from a single source or an aggregate amount of at least \$5,000, until the 20th day before the election. The FEC must be notified by the 20th day before the election of the intent to make independent expenditures during the election’s last 20 days. The measure also requires the FEC to notify all candidates within 48 hours of an independent expenditure. Finally, the amendment broadens the definition of express advocacy to include communications that suggest support or opposition to a candidate or group of candidates. **Staff Contact: Naomi Seligman, x5-2861**

### — *Obey Substitute* —

The Obey substitute bans soft money for House elections. It amends the 1971 Federal Election Campaign Act to establish spending limits and provide public financing for House general elections

by creating a “Grassroots Good Citizenship Fund” to provide federal funding for elections instead of using private money. The substitute provides money to the fund by soliciting voluntary payments from citizens and assessing a 0.1 percent tax on corporate income of \$10 million or more. The measure bases funding for major party candidates on the median household income of each district with a maximum allocation of \$500,000 per candidate. The amendment prohibits independent expenditures and express advocacy activities relating to congressional elections 90 days before the general election. Finally, the amendment states that if the Supreme Court finds the substitute unconstitutional, then the House will consider under expedited procedures a constitutional amendment empowering Congress to make reasonable restrictions on contributions, expenditures, and express advocacy ads for the 90 days preceding the general election. **Staff Contact: Will Stone, x5-3365**

— ***Doolittle Substitute*** —

The Doolittle substitute repeals limits on contributions by individuals, political parties, and political action committees to candidates or political parties. The measure terminates taxpayer financing of presidential election campaigns. It requires political parties to distinguish between federal and non-federal funds and requires each state party to file with the FEC a copy of the same disclosure forms it files with the state government. The substitute also requires that (1) campaign reports be filed electronically, (2) reports be filed every 24 hours during the last 90 days of the election, and (3) the FEC post all campaign reports on the Internet. The amendment prohibits candidates from accepting campaign contributions unless specific disclosure requirements are met. **Staff Contact: Pete Evich, x5-2511**

— ***Hutchinson Substitute*** —

The Hutchinson substitute is identical to the underlying base text of H.R. 2183 except in the following ways: (1) its short title has been changed to reflect the new calendar year; (2) it clarifies that candidates for federal office may attend state political party fundraisers in their home state; and (3) it adds a new section to increase limits on political action committee contributions to political parties from \$15,000 to \$20,000 a year. **Staff Contact: Stacey Shrader, x5-4301**

**Additional Information:** See *Legislative Digest*, Vol. XXVII, #14, Pt. II, June 1, 1998.




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Alert!

Please attach the text of the amendment (if available) and fax to the *Legislative Digest* at x5-7298

John Boehner  
Chairman  
8th District, Ohio

Member Sponsoring Amendment: \_\_\_\_\_ Bill#: \_\_\_\_\_

Additional Co-sponsors (if any): \_\_\_\_\_

Staff Contact: \_\_\_\_\_ Phone#: \_\_\_\_\_ Evening Phone#: \_\_\_\_\_

Description of the amendment: \_\_\_\_\_

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(Please include any additional or contextual information)

Reason for offering amendment (e.g., How will this change the bill or current law? Why should members support this change?): \_\_\_\_\_

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*Legislative Digest reserves the right to edit descriptions for style, readability, and provisional accuracy.*

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